

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

WNI 19-025492
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Elizabeth L. Wassall, Esq. 023211995
ATTORNEYS FOR WELLS FARGO BANK, N.A.

In Re:

KAREN L. WALDORF,
DEBTOR

Case No.: 19-13417-CMG

Judge: HONORABLE CHRISTINE M
GRAVELLE

Chapter: 13

NOTICE OF OBJECTION TO CONFIRMATION

The undersigned, LOGS Legal Group LLP, attorneys for the Secured Creditor, Wells Fargo Bank, N.A., the holder of a Mortgage on Debtor's property located at 22 Magnolia Court, Piscataway, NJ 08854, hereby objects to the Confirmation of the Debtor's proposed Modified Chapter 13 Plan, ECF # 105, on the following grounds:

1) Debtor's proposed Modified Chapter 13 Plan does not provide for the curing of the full amount of the mortgage arrearage accrued at the time of the Bankruptcy filing to Secured Creditor. Debtor's Plan proposes to pay Secured Creditor \$0.00. Secured Creditor is owed pre-petition arrearage of \$7,872.30; as evidenced in Proof of Claim 16-1 filed on April 30, 2019.

2) Debtor's proposed Modified Chapter 13 Plan does not provide for the Secured Creditor to receive distributions with a value equal to the allowed amount of its claims required by 11 U.S.C.1325(a)(5)(B)(ii).

3) Debtor's proposed Modified Chapter 13 Plan provides for a potential loan modification offer to cure pre-petition arrearages but does not provide direction in the event this loan modification is not offered.

4) Debtor's Proposed Modified Chapter 13 Plan provides for an ongoing monthly "adequate protection" payments, but the matter is no longer in the court's loss mitigation program (LMP) and the current monthly obligation is \$524.82, in violation of 11 U.S.C. 1322(b)(5). Secured Creditor requires full monthly post-petition payments owed to Secured Creditor under the terms of the Note and Mortgage.

WHEREFORE, Wells Fargo Bank, N.A. respectfully requests that the Confirmation of Debtor's Modified Chapter 13 Plan be denied, and that the Debtor be required to file an Amended Chapter 13 Plan providing for full payment of arrears and monthly payments due to the Secured Creditor.

LOGS LEGAL GROUP LLP

By: /s/Elizabeth L. Wassall
Elizabeth L. Wassall - 023211995

Dated: 2-5-2021

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CERTIFICATION OF SERVICE

I, Linda Wright

1. ☐ represent the _____ in the above-captioned matter.
☒ am the secretary/paralegal for Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.
☐ am the _____ in the above case and am representing myself.
2. On 2/5/2021, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:
 - Notice of Objection to Confirmation
3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: 2/5/2021

/s/ Linda Wright
Printed Name

| Name and Address of Party Served | Relationship of Party to the Case | Mode of Service |
|--|-----------------------------------|---|
| Robert C Nisenson Robert C. Nisenson, LLC 10 Auer Court Suite E East Brunswick, NJ 08816 | | <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*) |
| Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650 | | <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*) |
| Karen L. Waldorf 22 Magnolia Court Piscataway, NJ 08854 | | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*) |
| | | <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*) |

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.